

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

AMERICAN CIVIL LIBERTIES UNION
OF SOUTHERN CALIFORNIA, et al.,

Plaintiffs,

vs.

TAMARAH HARBER-PICKENS, et al.,

Defendants.

Case No. 1:20-cv-00889-DAD-JLT

**STIPULATION FOR DISMISSAL WITH
PREJUDICE OF ACTION AS AGAINST
THE COURT DEFENDANTS AND
RETENTION OF JURISDICTION;
[PROPOSED] ORDER**

(Doc. 38)

Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, Plaintiffs American Civil Liberties Union of Southern California, First Amendment Coalition, Kilah Oats, Lotisha Davidson, Tanisha Brown, Tameca Spriggs and Janie Randle (collectively, "Plaintiffs") and Defendants Tamarah Harber-Pickens, in her official capacity as Court Executive Officer, Superior Court of California, County of Kern and Judith K. Dulcich, in her official capacity as Presiding Judge, Superior Court of California, County of Kern (collectively, "KCSC"), hereby stipulate, pursuant to the terms of a Settlement and Release of All Claims Agreement effective as of November 13, 2020 ("Agreement"), which Agreement is hereby incorporated by reference, as follows:

1. This action shall be dismissed with prejudice in its entirety as against KCSC; and

2. Pursuant to Section I(3) of the Agreement, the Court shall retain jurisdiction over this action until December 31, 2021 for the sole purpose of resolving any disputes that may arise between the parties relating to access to court facilities or proceedings, including but not limited to disputes with respect to compliance with the Agreement.

The undersigned counsel for Plaintiffs certifies that the content of this document is acceptable to counsel for Defendants and that said counsel has provided authority to affix their electronic signature and to submit this document on his behalf pursuant to Local Rule 131, subsection (e).

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2 Dated: December 11, 2020

ACLU OF NORTHERN CALIFORNIA
ACLU FOUNDATION OF NORTHERN CALIFORNIA

3
4 By /s/ Kathleen Guneratne

5 Amy Rose Gilbert
Kathleen Guneratne

6 Attorneys for Plaintiffs
7 American Civil Liberties Union of Southern
California, Kilah Oats, Lotisha Davidson, Tanisha
8 Brown, Tameca Spriggs, and Janie Randle

9 Dated: December 11, 2020

MORGAN, LEWIS & BOCKIUS LLP

10
11 By /s/ Lucy Wang

12 Sujal J. Shah
Lucy Wang

13 Attorneys for Plaintiffs
14 American Civil Liberties Union of Southern
California and First Amendment Coalition

15
16 Dated: December 11, 2020

FIRST AMENDMENT COALITION

17
18 By /s/ David Edward Snyder

19 David Edward Snyder

20 Attorneys for Plaintiff
First Amendment Coalition

1 Dated: December 14, 2020

JONES DAY

2
3 By /s/ Robert A. Naeve

4 Robert A. Naeve

Cary D. Sullivan

5 Nathaniel P. Garrett

6 Attorneys for Defendants

Tamarah Harber-Pickens, in her official capacity as

7 Court Executive Officer of the Superior Court of

California, County of Kern; and Hon. Judith K.

8 Dulcich, in her official capacity as Presiding Judge

9 of the Superior Court of California, County of Kern

[PROPOSED] ORDER

The parties have stipulated to the action being dismissed with prejudice and requesting the Court retain jurisdiction over the matter until December 31, 2021, for the purpose of enforcing the settlement (Doc. 38). The Federal Rules of Civil Procedure Rule 41 makes such stipulations effective immediately. Thus, the Court **ORDERS**:

1. The Court retains jurisdiction of this matter until December 31, 2021, for the purpose of enforcing the settlement;

2. Accordingly, the Clerk of Court is DIRECTED to close this action subject to the Court's ongoing jurisdiction.

IT IS SO ORDERED.

Dated: **January 11, 2021**

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE